

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER 010180.00043
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/552,574
INTERNATIONAL APPLICATION NO. PCT/GB2004/001812	INTERNATIONAL FILING DATE 29 APRIL 2004	PRIORITY DATE CLAIMED 01 MAY 2003
TITLE OF INVENTION THE USE OF AZETIDINECARBOXAMIDE DERIVATIVES IN THERAPY		
APPLICANT(S) FOR DO/EO/US DAVIDSON, James Edward Paul <i>et al.</i>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> Express Mail Label No.</li> </ol>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/552,574</b>	INTERNATIONAL APPLICATION NO. <b>PCT/GB2004/001812</b>	ATTORNEY'S DOCKET NUMBER <b>010180.00043</b>
23. Other items or information: <b>Response to Notification of Missing Requirements with copy of the Notification.</b>		
The following fees have been submitted:		<b>CALCULATIONS    PTO USE</b>
24. <input type="checkbox"/> Basic national fee ..... \$300		\$       \$0.00
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article ..... \$0 All other situations. .... \$200		\$       \$0.00
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. .... \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. .... \$400 All other situations. .... \$500		\$       \$0.00
<b>TOTAL OF 24, 25 and 26 =</b>		\$       \$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)
- 100 =	0 /50 =	0
		x \$250.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$       \$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	- 20 =	0
Independent claims	- 3 =	0
		x \$200.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>		+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$       \$130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$       \$0.00
<b>SUBTOTAL =</b>		\$       \$130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$       \$0.00
<b>TOTAL NATIONAL FEE =</b>		\$       \$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$       \$40.00
<b>TOTAL FEES ENCLOSED =</b>		\$       \$170.00
130.00 DA		Amount to be \$
		Amount to be \$

08/08/2006 M AYPAGH 00000177 190733 10552574

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-0733 in the amount of \$ \$170.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Banner & Witcoff, Ltd.  
Customer Number: 22907

  
SIGNATURE

Susan A. Wolffe

NAME

33,568

REGISTRATION NUMBER

8/4/06  
DATE

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
DAVIDSON <i>et al.</i>	)	Attorney Docket No. 010180.00043
	)	
Serial No. 10/552,574	)	Group Art Unit: TBA
	)	
Filed: October 12, 2005	)	Examiner: Not Yet Assigned

For: *THE USE OF AZETIDINECARBOXAMIDE  
DERIVATIVES IN THERAPY*

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE DO/EO/US**

Commissioner of Patents  
U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) dated July 24, 2006, Applicants submit herewith the following documents to complete the requirements for acceptance under 35 USC 371:

1. Fee Transmittal Sheet Form PTO-1390 (Modified) in Duplicate;
2. Copy of the Notification of Missing Requirements; and
3. Executed Declaration for Patent Application and
4. Executed Assignment with Recordation cover sheet.

The Commissioner for Patents is authorized to charge our Deposit Account No. 19-0733 in the amount of \$170.00, as follows:

\$ 130.00 Late declaration surcharge

\$ 40.00 Recordation of Assignment.

It is not believed that any additional fees are required. However, in the event that additional fees are necessary, then such fees are authorized to be charged to our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: \_\_\_\_\_  
Susan A. Wolfe  
Registration No.33,568

Date: \_\_\_\_\_

Banner & Witcoff Ltd  
Customer Number: 22907

SAW:sdm



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/552,574	FIRST NAMED APPLICANT James Davidson	ATTY. DOCKET NO. 010180.00043
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**RECEIVED**

22907  
 BANNER & WITCOFF  
 1001 G STREET N W  
 SUITE 1100  
 WASHINGTON, DC 20001

JUL 27 2006

BANNER &amp; WITCOFF, LTD.

INTERNATIONAL APPLICATION NO. PCT/GB04/01812	
I.A. FILING DATE 04/29/2004	PRIORITY DATE 05/01/2003

CONFIRMATION NO. 4765  
 371 FORMALITIES LETTER



\*OC000000019725818\*

Date Mailed: 07/24/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/12/2005
- Copy of the International Search Report filed on 10/12/2005
- Preliminary Amendments filed on 10/12/2005
- Information Disclosure Statements filed on 10/12/2005
- Request for Immediate Examination filed on 10/12/2005
- U.S. Basic National Fees filed on 10/12/2005
- Priority Documents filed on 10/12/2005
- Specification filed on 10/12/2005
- Claims filed on 10/12/2005
- Abstracts filed on 10/12/2005

Docketed 7/27/06  
 Attny WJFISAW/INTA  
 Case Ref 010180.00043  
 Action Rep. Notif. Miss. Requirements  
 Due Date 9/24/06  
 Last Day 2/24/07  
 By AR

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,574	PCT/GB04/01812	010180.00043

FORM PCT/DO/EO/905 (371 Formalities Notice)